

IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

IN RE:	)	
	)	
EVELYN K. HARRIS,	)	CHAPTER 13
	)	CASE NO: 21-00825-HB
Debtor.	)	
	)	
	)	
	)	

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**OBJECTION TO CONFIRMATION BY TITLEMAX OF SOUTH CAROLINA, INC.**

COMES NOW, Titlemax of South Carolina, Inc., Creditor/Movant, in the above-styled action, by and through counsel, files this its Objection to Confirmation of Debtor's proposed Chapter 13 plan. In support of their Objection, Movants respectfully show the Court the following:

1. Debtor filed for protection under Title 11 of the United States Bankruptcy Code on March 24, 2021.
2. Prior thereto, on March 17, 2020, Debtor and Movant entered into a Supervised Loan Agreement, Promissory Note, and Security Agreement whereby Movant provided Debtor a refinanced loan in the amount of \$8,964.34 to Debtor in exchange for a security interest in Debtor's 2009 Nissan Titan (VIN 1N6BA07D88N361020) (the "Vehicle") Movant. Said agreement is attached hereto as Exhibit "A" and incorporated by referenced herein (the "Agreement").
3. Pursuant to the Agreement, Debtor was to make installment payments as they came due. Debtor failed to make timely payments and at the time of the petition, Debtor was in arrears to Movant in the amount of \$13,279.11. The account statement is attached hereto as Exhibit "B" and incorporated herein by reference.
4. Prior to the filing of the Debtor's petition, on March 21, 2021 Movant repossessed

the Vehicle pursuant to the terms of the Agreement.

5. After March 21, 2021, the Vehicle was no longer property of Debtor and not part of Debtor's Bankruptcy Estate.

6. Movant objects to Debtor's plan in that it infers that Debtor or Debtor's Estate has any right or title to the Vehicle.

7. Movant further believes that Debtor's petition and plan, with respect to Movant, was filed in bad faith in violation of 11 U.S.C. Section 1325(a)(3).

WHEREFORE, Movant requests that this Court deny confirmation of Debtor's plan with respect to Movant.

/s/ Nathan E. Huff  
Nathan E. Huff  
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Attorney for Movant  
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CERTIFICATE OF SERVICE

I do hereby certify that on this day the foregoing were mailed by first class mail with adequate postage affixed thereto or served electronically via the Court's CM/ECF system to the parties listed below:

Dana Elizabeth Wilkinson, Esq.  
danawilkinson@danawilkinsonlaw.com

and my mail to the following:

Evelyn K. Harris  
488 Carolyn Drive  
Spartanburg, SC 29306

Gretchen D. Holland, Trustee  
Ch. 13 Trustee Office  
20 Roper Corners Circle, Suite C  
Greenville, SC 29615

US Trustee's Office  
Strom Thurmond Federal Building  
1835 Assembly St., Suite 952  
Columbia, SC 29201

May 11, 2021.

/s/ Nathan E. Huff  
Nathan E. Huff